

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

LEON N. STANLEY, )

Defendant. )

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4:08CR3086

**MEMORANDUM AND ORDER**

The evidentiary hearing on defendant's motion to suppress, (filing no. [23](#)), was held before Magistrate Judge Piester on June 5, 2009. Supplemental briefs were filed, and the case was fully submitted on June 13, 2009. Judge Piester has not filed a report and recommendation on defendant's motion, and, after consultation with the judge, I have determined to resolve the motion directly. Accordingly,

IT IS ORDERED that in the absence of any objection filed on or before July 8, 2009, the undersigned district judge will rule on defendant's motion to suppress based on the record developed before Magistrate Judge Piester.

DATED this 29<sup>th</sup> day of June, 2009.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge